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OFFICE OF PETITIONS

In re Patent No. 7,615,342
Issued: November 10, 2009
Application No. 10/527,831
Filed: January 9, 2006
Attorney Docket No. 5517-19

: DECISION ON REQUEST
: FOR RECONSIDERATION
: OF PATENT TERM ADJUSTMENT
: AND
: NOTICE OF INTENT TO ISSUE
: CERTIFICATE OF CORRECTION

This is a decision on the APPLICATION FOR PATENT TERM ADJUSTMENT INCLUDING REQUEST FOR RECONSIDERATION UNDER 37 CFR § 1.705(d) filed on January 11, 2010, requesting that the patent term adjustment indicated on the above-identified patent be corrected from 82 days to 382 days.

The petition to correct the patent term adjustment indicated on the above-identified patent to indicate that the term of the above-identified patent is extended or adjusted by three hundred eighty-one (381) days is **GRANTED to the extent indicated herein**.

The calculation of delay pursuant to 37 CFR 1.702(b) is based on a national stage commencement date of March 16, 2008. Accordingly, the "B" delay period, the over three year period begins on March 16, 2008, the date the national stage commenced under 35 U.S.C. 371(f), and ends on November 10, 2009, the day the patent issued and is 604 days, not 605 days. As such, the patent term adjustment is 381 days (0 "A delay" days plus 604 "B delay" days minus 223 days for applicant delay).

The Office will *sua sponte* issue a certificate of correction. Pursuant to 37 CFR 1.322, the Office will not issue a certificate of correction without first providing assignee or patentee an opportunity to be heard. Accordingly, patentees are given **one (1) month or thirty (30) days**, whichever is longer, from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

The application is being forwarded to the Certificates of Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the

term of the above-identified patent is extended or adjusted by **three hundred eighty-one (381)** days.

Telephone inquiries specific to this decision should be directed to Senior Petitions Attorney Patricia Faison-Ball at (571) 272-3212.

A handwritten signature in black ink, appearing to read 'Anthony Knight', is written over the printed name.

Anthony Knight
Director
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

DRAFT
UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,615,342 B2

DATED : November 10, 2009

INVENTOR(S) : Kathryn Nance North

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by (82) days

Delete the phrase “by 82 days” and insert – by 381 days--